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IN RE: Dale Phillips, vs.
Karen Blair, et al.

TRANSCRIPT OF RECORDED INTERVIEW
OF OFFICER KAREN BLAIR



1 P-R-O-C-E-E-D-I-N-G-S

2 SERGEANT JOHNSON: The following will
3 be the administrative interview of
4 Officer Karen Blair, IAB Database
5 Number 201409-0040.

6 This interview is being conducted at
7 the training academy on December 3rd, 2014,
8 commencing at approximately 2:10 p.m.

9 Present during the interview,
10 Sergeant Johnson, Officer Blair. Asking the
11 questions will be Sergeant Johnson.

12 Ma'am, can you please state your name,
13 badge number, and assignment?

14 OFFICER BLAIR: Yes. Karen Blair,
15 Badge 4543. My assignment is Z3E2-1.

16 SERGEANT JOHNSON: Have you been
17 advised in writing of the nature of this
18 investigation, and did you sign a form
19 entitled Notification of Internal
20 Investigation, Rights, and (inaudible) Order
21 to Submit to Interview?

22 OFFICER BLAIR: Yes, sir.

23 SERGEANT JOHNSON: Have you been
24 advised prior to this interview all City of
25 Columbus employees have the right to be

1 accompanied, represented, and advised by a
2 union rep and an attorney in any
3 administrative interview?

4 OFFICER BLAIR: Yes, sir.

5 SERGEANT JOHNSON: Do you have
6 representation with you here today?

7 OFFICER BLAIR: No, sir.

8 SERGEANT JOHNSON: Because I'm
9 conducting an investigation into alleged
10 misconduct, your contract requires me to
11 inform you, to the extent known at this
12 time, whether this investigation is focused
13 on you for a potential charge, either
14 departmental or criminal.

15 At this time, I can tell you this
16 investigation is administrative in nature,
17 not criminal, and is focused on determining
18 whether a violation of division rules and/or
19 policy has occurred.

20 Any charge of violating division rules
21 and/or policies will be determined by the
22 appropriate chain of command, not the
23 internal affairs bureau.

24 Okay. Officer Blair, the reason I met
25 you out here at the academy today is

1 because, back on September 19th of this year
2 Mr. Dale Phillips filed a citizen complaint
3 against Columbus police officers out of his
4 arrest, which occurred on September 15,
5 about 10:45 p.m., right in front of
6 2756 Sullivant Avenue.

7 Out of this incident, he was charged
8 with obstruction of justice. And looking at
9 the paperwork that I collected, it looked
10 like force was applied to him out of his
11 arrest. And his complaint was that too much
12 force was used on him while he was being
13 arrested. So that's why we're here.

14 And I see, from the paperwork, that you
15 completed a report -- an arrest report and a
16 U10-100.

17 So can you tell me in your words what
18 occurred that night when you made contact
19 with Mr. Dale Phillips?

20 OFFICER BLAIR: Yes, sir.

21 I was dispatched to a burglary in
22 progress. And I was very close to the
23 location.

24 SERGEANT JOHNSON: Uh-huh.

25 OFFICER BLAIR: I was so close that I

1 didn't turn on my lights and sirens because
2 I was in the alley next to the location.

3 SERGEANT JOHNSON: Okay.

4 OFFICER BLAIR: When I came down the
5 alley, they had dispatched that they
6 couldn't -- the caller could not describe
7 the vehicle, but people were loading up
8 property from the building into a vehicle --

9 SERGEANT JOHNSON: Okay.

10 OFFICER BLAIR: -- from the rear of the
11 building.

12 I was coming from the rear and I could
13 see nobody was in the rear. So when I came
14 around to the side, I saw a truck parked
15 next to a building with a door that I knew
16 was the location.

17 SERGEANT JOHNSON: I went out there to
18 do a field canvas, and it looks like an old
19 business or something?

20 OFFICER BLAIR: I think it was an old
21 bar.

22 SERGEANT JOHNSON: Right.

23 And what I noticed, it was Sullivant
24 and South Harris.

25 OFFICER BLAIR: Yes.

1 SERGEANT JOHNSON: So you had been in
2 that alley?

3 OFFICER BLAIR: North of Sullivant --

4 SERGEANT JOHNSON: Got it.

5 OFFICER BLAIR: -- North of Sullivant,
6 west of Harris. I was coming east towards
7 Harris.

8 SERGEANT JOHNSON: Coming towards
9 Harris. Got it. All right.

10 OFFICER BLAIR: And I know Harris -- I
11 didn't have it memorized at the time, but I
12 know now Harris is one way northbound.

13 SERGEANT JOHNSON: Yes.

14 OFFICER BLAIR: I was new to the
15 precinct, so I was still not --

16 SERGEANT JOHNSON: I was new that night
17 when I went to look at this.

18 OFFICER BLAIR: -- not completely
19 familiar with the area yet.

20 SERGEANT JOHNSON: Right. Okay.

21 OFFICER BLAIR: So when I came -- came
22 from the alley, I crept around the corner.
23 I saw a truck parked on the west side of
24 North Harris --

25 SERGEANT JOHNSON: Okay.

1 OFFICER BLAIR: -- right in front of a
2 door next to the building.

3 SERGEANT JOHNSON: Okay.

4 OFFICER BLAIR: And I could see two
5 people in the truck. And I could see that
6 the front passenger seat was a female
7 wearing a pink or orange shirt, which was a
8 description in the dispatched run.

9 SERGEANT JOHNSON: Okay.

10 OFFICER BLAIR: So I had that in my
11 mind. And I knew that there was a male
12 involved.

13 SERGEANT JOHNSON: Okay.

14 OFFICER BLAIR: So when I came around
15 the corner, I -- I parked my cruiser,
16 because I didn't want to come completely
17 southbound into northbound traffic.

18 SERGEANT JOHNSON: Okay.

19 OFFICER BLAIR: And I exited my vehicle
20 and I flagged down the truck to stop.

21 SERGEANT JOHNSON: Okay.

22 OFFICER BLAIR: When I -- when he saw
23 my cruiser, he turned on the lights to the
24 truck.

25 SERGEANT JOHNSON: Okay.

1 OFFICER BLAIR: When I first came up,
2 the lights were off. He turned on the
3 lights.

4 So I clearly, you know, hey, I'm a
5 police officer. Stop.

6 SERGEANT JOHNSON: Did you get out of
7 your car to do this?

8 OFFICER BLAIR: Yes. I was on -- I was
9 on foot --

10 SERGEANT JOHNSON: Okay.

11 OFFICER BLAIR: -- because I didn't
12 want my cruiser to come southbound on the
13 northbound lanes.

14 SERGEANT JOHNSON: Got it.

15 OFFICER BLAIR: So I stopped my car to
16 keep -- I didn't want him to come towards me
17 and cause a collision.

18 SERGEANT JOHNSON: Okay.

19 OFFICER BLAIR: So I get out on foot
20 to -- so I can go over to the driver's side,
21 so I wouldn't be in, you know, traffic's
22 way.

23 You know, I put my arms in the air;
24 sir, stop, stop.

25 I said it three times, and he didn't

1 stop.

2 So I was walking as I was talking to
3 him. He started to pull away from the curb.

4 So I tapped on the hood, sir, stop.

5 And he did put the car in park.

6 SERGEANT JOHNSON: Okay.

7 OFFICER BLAIR: So I went and stood by
8 the driver's side door because -- I was
9 coming northbound at not a completely
10 tactical advantage, so I stood by his
11 driver's side door --

12 SERGEANT JOHNSON: Uh-huh.

13 OFFICER BLAIR: -- as if it was a
14 traffic stop; I was just in reverse.

15 SERGEANT JOHNSON: Okay.

16 OFFICER BLAIR: And I stood there and
17 waited until more officers could come, which
18 I knew they were coming with lights and
19 sirens because it was dispatched as a
20 burglary.

21 SERGEANT JOHNSON: So you was talking
22 to him --

23 OFFICER BLAIR: I was just talking --

24 SERGEANT JOHNSON: -- trying to keep
25 him -- keep him at bay?

1 OFFICER BLAIR: I was talking to him,
2 yes.

3 SERGEANT JOHNSON: All right.

4 OFFICER BLAIR: I asked him for his
5 identification. And I remember him -- he
6 didn't want to give it to me. I said, do
7 you have an ID on you?

8 He said, no.

9 I said, do you have a driver's license,
10 to figure out if he, you know, was a valid
11 driver, because that would accelerate
12 things.

13 And he said, yes, I have a valid
14 driver's --

15 I said, what -- you know, what's your
16 information?

17 He -- he kept saying he didn't have it
18 on him.

19 And then as other officers were coming
20 up, I said, are you sure you don't have an
21 ID on you?

22 And then he produced one without
23 hesitation.

24 So I was already believed -- had the
25 belief that he was not being honest with

1 me.

2 SERGEANT JOHNSON: Okay.

3 OFFICER BLAIR: At that point,
4 Officer Jean Byrne pulled up behind the
5 truck. Because I had aired that I had the
6 truck stopped.

7 SERGEANT JOHNSON: Okay.

8 OFFICER BLAIR: She pulled up behind
9 him. And she went up to the passenger --

10 SERGEANT JOHNSON: Okay.

11 OFFICER BLAIR: -- passenger side of
12 the vehicle and was talking to the
13 passenger. And she removed the passenger
14 from the vehicle, the female.

15 SERGEANT JOHNSON: Okay.

16 OFFICER BLAIR: And I stood waiting for
17 another officer to come to me on the
18 driver's side. So I just kept talking to
19 the driver.

20 And then Officer Groves came up. And I
21 told Officer Groves, hey, we need to remove
22 from the vehicle because I have reason to
23 believe he's involved in the burglary; we're
24 in the same location; he's not being honest
25 with me; the female matches the description.

1 You know, it was kind of adding up a
2 little bit.

3 SERGEANT JOHNSON: A quick question.

4 How long -- it could have been just
5 seconds, it could have been a minute -- if
6 you can remember, how long was it
7 when -- well, two times.

8 You get there; you're waiting for
9 backup to get there. How long that you're
10 talking before you see Officer -- before you
11 see Officer Byrne show up?

12 OFFICER BLAIR: Not very long. I mean,
13 I don't want to put a number on it, but
14 maybe 30 seconds.

15 SERGEANT JOHNSON: Okay.

16 OFFICER BLAIR: It was not -- it was
17 not very long at all.

18 SERGEANT JOHNSON: Got it.

19 Okay. How about after she takes the
20 female driver out of the car, when you see
21 Groves?

22 OFFICER BLAIR: Again, it wasn't very
23 long.

24 SERGEANT JOHNSON: Okay. Good. All
25 right.

1 So basically this is all fluid?
2 OFFICER BLAIR: It was pretty
3 fluid because --
4 SERGEANT JOHNSON: Okay. Good.
5 OFFICER BLAIR: -- people running
6 lights and sirens --
7 SERGEANT JOHNSON: Okay.
8 OFFICER BLAIR: -- because it was a
9 burglary in progress --
10 SERGEANT JOHNSON: Right. I'm just --
11 OFFICER BLAIR: -- is how it was
12 dispatched.
13 SERGEANT JOHNSON: All right. So
14 now --
15 OFFICER BLAIR: It wasn't an extended
16 period of time necessarily.
17 SERGEANT JOHNSON: All right. So
18 Groves is there. You tell him he needs to
19 come out of the car. You're telling Groves
20 this because you told him in your own words
21 that you think he's part of this (inaudible)
22 you're on?
23 OFFICER BLAIR: Yes. And the driver
24 was -- he was being somewhat uncooperative
25 verbally.

1 SERGEANT JOHNSON: Uh-huh.

2 OFFICER BLAIR: He didn't want to -- he
3 just wanted to leave --

4 SERGEANT JOHNSON: Right.

5 OFFICER BLAIR: -- and he was not happy
6 that I was not letting him just drive
7 away.

8 SERGEANT JOHNSON: Right.

9 OFFICER BLAIR: And I actually told
10 him -- I said, I'm investigating a burglary.

11 And he's, you know, immediately, I'm
12 not involved; I didn't burglarize anything.

13 Okay, sir. I still have to investigate
14 it.

15 SERGEANT JOHNSON: Right.

16 OFFICER BLAIR: So when Groves came, I
17 told Groves, we need to remove him from the
18 car just so we can -- we can investigate
19 this a little bit further. We need to
20 detain him.

21 SERGEANT JOHNSON: Right.

22 OFFICER BLAIR: So I opened -- I was
23 closer to him. I opened the driver door --

24 SERGEANT JOHNSON: Okay.

25 OFFICER BLAIR: -- and Groves stepped

1 up, and we asked him to step out.
2 And he initially said no.
3 SERGEANT JOHNSON: All right.
4 OFFICER BLAIR: And we said, no, you
5 need to come out of the truck.
6 SERGEANT JOHNSON: Okay.
7 OFFICER BLAIR: So he did step out, but
8 he stepped out facing towards us --
9 SERGEANT JOHNSON: Okay.
10 OFFICER BLAIR: -- which is not,
11 tactically, what we're taught to do.
12 SERGEANT JOHNSON: Right.
13 OFFICER BLAIR: So we were asking him
14 to turn around so we could handcuff him and
15 detain him and put him safe in the back of
16 the cruiser.
17 SERGEANT JOHNSON: Right.
18 OFFICER BLAIR: When we asked him to
19 turn around, he would not.
20 So Groves grabbed his -- he grabbed
21 ahold of his left arm just to guide him, to
22 turn around.
23 SERGEANT JOHNSON: Uh-huh.
24 OFFICER BLAIR: And as soon as Groves
25 grabbed his left arm, he pulled it towards

1 his body --

2 SERGEANT JOHNSON: Okay.

3 OFFICER BLAIR: -- you know, like to

4 pull it away from Groves.

5 SERGEANT JOHNSON: Right.

6 OFFICER BLAIR: At the same time, he

7 took his right hand and grabbed it into the

8 interior handle of the truck --

9 SERGEANT JOHNSON: Uh-huh.

10 OFFICER BLAIR: -- up by the --

11 SERGEANT JOHNSON: The frame of the

12 car?

13 OFFICER BLAIR: -- the frame of the

14 car --

15 SERGEANT JOHNSON: Yeah.

16 OFFICER BLAIR: -- not in the door, but

17 in the frame of the car.

18 SERGEANT JOHNSON: Yes.

19 OFFICER BLAIR: I don't know the

20 technical term for that.

21 SERGEANT JOHNSON: I know what you're

22 saying, yeah.

23 OFFICER BLAIR: He grabbed onto that

24 with his right arm.

25 SERGEANT JOHNSON: Okay.

1 OFFICER BLAIR: And Groves and I could
2 not get him to move. He was, you know, much
3 larger than both of us.

4 SERGEANT JOHNSON: Right.

5 OFFICER BLAIR: So Groves is trying to
6 pull him off the truck, and he would -- he
7 would not let go.

8 So I went to his hands and -- his right
9 hand and tried to pry off his fingers, like
10 peel back his fingers to get his hand off
11 the handle so we can get his right hand
12 behind his back.

13 SERGEANT JOHNSON: Right.

14 OFFICER BLAIR: At that point --

15 SERGEANT JOHNSON: Did that work?

16 OFFICER BLAIR: Yes, eventually it
17 did.

18 SERGEANT JOHNSON: Okay.

19 OFFICER BLAIR: It was not immediate
20 because, every time I'd get a finger off, he
21 would put it back.

22 SERGEANT JOHNSON: Okay.

23 OFFICER BLAIR: And then
24 Officer McClain and Cazan --

25 SERGEANT JOHNSON: Uh-huh.

1 OFFICER BLAIR: -- in the wagon, pulled
2 up.

3 And I didn't see exactly when they
4 pulled up, because my focus was on --

5 SERGEANT JOHNSON: Right.

6 OFFICER BLAIR: -- the driver.

7 But when they came, they grabbed ahold
8 of -- they tried to help Groves in pulling
9 him off by pulling him away from the
10 truck --

11 SERGEANT JOHNSON: Okay.

12 OFFICER BLAIR: -- assuming, you know,
13 if they pull, he'll let go.

14 SERGEANT JOHNSON: Right.

15 OFFICER BLAIR: So they pull, and at
16 the same time we're able to get the fingers
17 off, we get him off of the truck, and then
18 everyone went to the ground.

19 SERGEANT JOHNSON: So a joint effort of
20 pulling and you peeling the finger --

21 OFFICER BLAIR: Yes.

22 SERGEANT JOHNSON: -- off the handle
23 grip, he finally --

24 OFFICER BLAIR: Yes.

25 SERGEANT JOHNSON: -- is released from

1 the truck?

2 OFFICER BLAIR: Yes.

3 SERGEANT JOHNSON: Okay. Go ahead.

4 OFFICER BLAIR: And that took -- I
5 mean, it took four of us to -- to get him
6 off of the truck.

7 SERGEANT JOHNSON: Right.

8 That would have been you, Groves,
9 McClain, and Cazan?

10 OFFICER BLAIR: Yes.

11 SERGEANT JOHNSON: Did you know what
12 they did as far as, like, getting him down
13 to the ground?

14 OFFICER BLAIR: No, sir --

15 SERGEANT JOHNSON: All right.

16 OFFICER BLAIR: -- I didn't.

17 SERGEANT JOHNSON: Okay. Go ahead.

18 OFFICER BLAIR: I -- you know, I
19 was -- my focus was watching that right hand
20 so he didn't get it into the truck and grab
21 a weapon.

22 SERGEANT JOHNSON: Right.

23 OFFICER BLAIR: I wanted to make
24 sure -- I knew Groves had his left arm. I
25 was focused on the right arm and getting

1 that hand off of the truck so we could get
2 him detained.

3 Because at this point, you know, he's
4 making it look more and more like he's
5 involved in a burglary.

6 SERGEANT JOHNSON: Absolutely.

7 Okay. So the fingers come off and he
8 goes down to the ground?

9 OFFICER BLAIR: Yes.

10 SERGEANT JOHNSON: All right. Take it
11 from there.

12 OFFICER BLAIR: So while we're on the
13 ground, it's -- he's still not -- he keeps
14 trying to get up. He still would not let us
15 handcuff him. We're giving him orders.

16 SERGEANT JOHNSON: He's face-down on
17 the ground; like his chest is facing the
18 ground?

19 OFFICER BLAIR: I'll be honest; I'm not
20 certain.

21 SERGEANT JOHNSON: Okay.

22 OFFICER BLAIR: I don't know. It was
23 kind of a melee of officers and him.

24 SERGEANT JOHNSON: Right.

25 OFFICER BLAIR: And he was wearing a

1 white shirt, too.

2 SERGEANT JOHNSON: That's right. He
3 was. Yeah.

4 OFFICER BLAIR: So, to be honest, I'm
5 not sure which direction he was facing.

6 SERGEANT JOHNSON: Okay. Did you get
7 down on the ground with him at all?

8 OFFICER BLAIR: I was trying to keep
9 his legs from kicking.

10 SERGEANT JOHNSON: Okay.

11 OFFICER BLAIR: But, yes, I was
12 in -- in the mix, I guess.

13 SERGEANT JOHNSON: Okay.

14 OFFICER BLAIR: I'm not sure who
15 applied the handcuffs. It may have been
16 me.

17 SERGEANT JOHNSON: Well, how did
18 you keep -- how -- how did you prevent his
19 legs from kicking around?

20 OFFICER BLAIR: Just tried to keep them
21 down so that they wouldn't kick the officers
22 who were coming in to --

23 SERGEANT JOHNSON: Did you sit on them?
24 Did you hug them?

25 OFFICER BLAIR: I --

1 SERGEANT JOHNSON: Put your hands on
2 his ankles?

3 OFFICER BLAIR: I'm not -- I'm not sure
4 if I actually touched them or if I just kind
5 of kept an eye on them, to be honest.

6 SERGEANT JOHNSON: Okay.

7 OFFICER BLAIR: Because I don't -- I
8 didn't have to use force on his legs --

9 SERGEANT JOHNSON: Right.

10 OFFICER BLAIR: -- but he was still
11 trying to get up. We're trying to keep him
12 on the ground.

13 SERGEANT JOHNSON: Okay.

14 OFFICER BLAIR: I know I was trying to
15 handcuff, because at one point I confused
16 Officer Groves' arm with his arm.

17 SERGEANT JOHNSON: Uh-huh.

18 OFFICER BLAIR: I almost handcuffed
19 Officer Groves in the -- in the struggle.

20 SERGEANT JOHNSON: Really?

21 OFFICER BLAIR: Yes.

22 SERGEANT JOHNSON: Okay.

23 OFFICER BLAIR: And I -- I'm not sure
24 who all was trying to handcuff. Like I
25 said, it was -- we were still in

1 that -- kind of that doorjamb area where --

2 SERGEANT JOHNSON: Uh-huh.

3 OFFICER BLAIR: -- we couldn't see what
4 was going on.

5 SERGEANT JOHNSON: So eventually he's
6 handcuffed?

7 OFFICER BLAIR: Yes.

8 I -- I do know at some point he was
9 maced. I don't know who maced him.

10 SERGEANT JOHNSON: Okay. At one point
11 he was -- you don't know who did that?

12 OFFICER BLAIR: No, sir.

13 SERGEANT JOHNSON: All right.

14 So he is now handcuffed and maced.

15 Is it over? Does he stop fighting,
16 stop resisting?

17 OFFICER BLAIR: Yes. Physically,
18 yes.

19 SERGEANT JOHNSON: Okay. All right.
20 Take it from there.

21 OFFICER BLAIR: He went into the rear
22 of Jean Byrne's car, I think 7314.

23 SERGEANT JOHNSON: Okay. What car were
24 you driving that night?

25 OFFICER BLAIR: I was 9190, probably.

1 SERGEANT JOHNSON: Okay. 9190.

2 Okay.

3 OFFICER BLAIR: And I know the medics
4 came.

5 SERGEANT JOHNSON: Yeah.

6 OFFICER BLAIR: I was collecting
7 information, because we still had people in
8 the -- the building that was being
9 burglarized. We still had a burglary at the
10 same time --

11 SERGEANT JOHNSON: Okay.

12 OFFICER BLAIR: -- so we had to secure
13 the building, also.

14 SERGEANT JOHNSON: Okay.

15 OFFICER BLAIR: So I was -- so after he
16 was secured in the back of the cruiser, more
17 officers came and were able to watch him
18 when I went to the back of the building and
19 watched the back door of the building.

20 SERGEANT JOHNSON: Okay.

21 OFFICER BLAIR: And, in that, we were
22 able to get officers on top of the roof who
23 went in the building.

24 Because we could hear people in the
25 building and they would not open the door.

1 So we found an open door on the roof, who
2 went -- and officers went in and were able
3 to bring a female out.

4 And they brought them out the door that
5 Mr. -- that the driver was parked next to.

6 SERGEANT JOHNSON: Okay.

7 OFFICER BLAIR: So there was a -- a
8 burglary at the -- at the same time.

9 SERGEANT JOHNSON: So after you get
10 Mr. Phillips into the back of a cruiser, you
11 help with clearing this building, what
12 determination do you come to? Was he
13 involved with the burglary?

14 OFFICER BLAIR: I don't believe so. I
15 believe, honestly, that the female passenger
16 that he had in his vehicle -- I believe that
17 she came out of the building.

18 SERGEANT JOHNSON: Okay.

19 OFFICER BLAIR: I don't think he was
20 directly involved in the -- in the burglary
21 of the building.

22 SERGEANT JOHNSON: Why do you think he
23 was so resistant towards the officers?

24 OFFICER BLAIR: Honestly, I believe he
25 was -- the female that ran away was a

1 prostitute --

2 SERGEANT JOHNSON: Was a prostitute?

3 OFFICER BLAIR: -- and he wouldn't
4 admit to it.

5 But the female, I know, admitted to
6 Officer Jean Byrne before she ran away that
7 she was a prostitute.

8 SERGEANT JOHNSON: Were -- were you
9 guys able to get her information before she
10 took off running?

11 OFFICER BLAIR: No, sir.

12 SERGEANT JOHNSON: Okay.

13 OFFICER BLAIR: And his story with
14 picking her up didn't make sense. He said
15 he -- that she was a friend and he was
16 picking her up and he was going to drop her
17 off at a Marathon. But there's a Marathon
18 down the street. His story didn't make
19 sense with why he was picking her up.

20 So, honestly, I think he was picking up
21 a prostitute and didn't want -- didn't want
22 to own up to it.

23 SERGEANT JOHNSON: And was that a -- a
24 true burglary? Like, was it vacant or was
25 it -- or was it -- or was it a -- an

1 occupied dwelling, like somebody was home?

2 OFFICER BLAIR: It ended up being like
3 a vacant, old bar.

4 SERGEANT JOHNSON: Okay.

5 OFFICER BLAIR: And I don't think we
6 were able to get ahold of a victim that
7 night.

8 SERGEANT JOHNSON: Okay.

9 OFFICER BLAIR: So it was -- it would
10 have been a criminal trespass, based on the
11 circumstances.

12 SERGEANT JOHNSON: But your interaction
13 with him is, he probably was not involved
14 with the burglary; however, because of the
15 girl in the -- in the car with him,
16 he's -- he's really amped up --

17 OFFICER BLAIR: Correct. Correct.

18 SERGEANT JOHNSON: -- probably because
19 of (inaudible) behavior?

20 OFFICER BLAIR: Correct.

21 And his actions kept us from being able
22 to determine what was going on with the
23 burglary sooner.

24 SERGEANT JOHNSON: Okay. Well, you
25 answered that one.

1 Did you -- and you did not apply the
2 mace?

3 OFFICER BLAIR: No, sir.

4 SERGEANT JOHNSON: Right.

5 You don't know who applied the mace?

6 OFFICER BLAIR: At the time, I did not
7 know who applied the mace.

8 SERGEANT JOHNSON: Right. At the time,
9 yeah.

10 And the force that you applied on him
11 was basically getting his fingers off that
12 grip?

13 OFFICER BLAIR: Yes, sir.

14 SERGEANT JOHNSON: All right. And as
15 far as -- you tried to keep his feet -- or
16 his legs down, but there was no force
17 applied there?

18 OFFICER BLAIR: No, sir.

19 SERGEANT JOHNSON: All right. Did he
20 ever complain to you of any type of injury
21 that -- okay. Do that in two parts.

22 Right after you guys were able to
23 secure him, did he complain? Did you see
24 any visible injuries?

25 OFFICER BLAIR: It -- it seemed -- like

1 I said, after he went into the rear of
2 Cruiser 7314, I -- I knew his face was
3 scratched up --

4 SERGEANT JOHNSON: Yeah.

5 OFFICER BLAIR: -- and he had -- and a
6 lot of it -- it looked worse than it really
7 was, because there was a lot of gravel on
8 his face --

9 SERGEANT JOHNSON: Okay.

10 OFFICER BLAIR: -- and there was mace,
11 and the mace was stuck to the gravel.

12 So it --

13 SERGEANT JOHNSON: Oh. Got it.

14 OFFICER BLAIR: -- in the pictures, it
15 looks worse than it did in person.

16 Because we were on pavement when this
17 was going down.

18 SERGEANT JOHNSON: Okay.

19 OFFICER BLAIR: But he never directly
20 said anything to me about his injuries --

21 SERGEANT JOHNSON: Okay.

22 OFFICER BLAIR: -- because I was
23 dealing with the burglary.

24 SERGEANT JOHNSON: Okay.

25 OFFICER BLAIR: He was never in the

1 rear of my car.

2 But I know it seemed -- I believe they
3 just treated him for the scrapes and the
4 mace.

5 SERGEANT JOHNSON: Okay. In looking at
6 the picture, I see a scrape on his knee, and
7 then his face looks all muddy and bruised a
8 little bit --

9 OFFICER BLAIR: Yes, sir.

10 SERGEANT JOHNSON: -- and puffy from
11 the -- from the mace.

12 OFFICER BLAIR: Yes. It was
13 mostly -- I don't believe it was puffy; it
14 was --

15 SERGEANT JOHNSON: (Inaudible) puffy,
16 he is a puffy guy.

17 OFFICER BLAIR: Most of it was -- I
18 mean, there were definitely scrapes on his
19 face, but a lot of it was gravel stuck to
20 the mace --

21 SERGEANT JOHNSON: Okay.

22 OFFICER BLAIR: -- on his face.

23 SERGEANT JOHNSON: Did he have redness
24 from the -- from the mace?

25 OFFICER BLAIR: Not -- not an unusual

1 amount.

2 SERGEANT JOHNSON: Okay.

3 OFFICER BLAIR: I mean, I would say
4 normal --

5 SERGEANT JOHNSON: Okay.

6 OFFICER BLAIR: -- macing on that.

7 SERGEANT JOHNSON: All right. So --

8 OFFICER BLAIR: But he never said
9 anything else about any other injuries at
10 the scene. He never made any other
11 complaints.

12 SERGEANT JOHNSON: But you called a
13 medic because of the macing?

14 OFFICER BLAIR: We -- we called a
15 medic.

16 And an officer -- a sergeant responded
17 to the scene and photographed the
18 injuries -- injuries that he claimed at that
19 time.

20 SERGEANT JOHNSON: Okay. Did you hear
21 the sergeant's conversation with him when he
22 attempted to interview him at all?

23 OFFICER BLAIR: No, sir.

24 SERGEANT JOHNSON: Okay. Now, I see
25 you worked a straight car, but you wound up

1 doing a transport of Mr. --
2 OFFICER BLAIR: Yes, sir.
3 He would --
4 SERGEANT JOHNSON: -- Phillips?
5 OFFICER BLAIR: -- he -- we took him
6 out of Officer Jean Byrne's car and put him
7 in the rear of Officer Groves' car.
8 So he didn't -- he wasn't in a wagon;
9 he was in a straight car.
10 SERGEANT JOHNSON: Oh, okay. Okay.
11 OFFICER BLAIR: So his car and my car
12 transported him to headquarters
13 for identification.
14 SERGEANT JOHNSON: Got it.
15 So the wagon went back -- the
16 wagon --
17 OFFICER BLAIR: Yes, sir. They were --
18 SERGEANT JOHNSON: -- went back
19 to (inaudible) --
20 OFFICER BLAIR: They were on
21 overtime.
22 SERGEANT JOHNSON: Got it. Okay.
23 I thought you guys took the wagon --
24 OFFICER BLAIR: No.
25 SERGEANT JOHNSON: -- because he was

1 big and --

2 OFFICER BLAIR: No. Uh-uh.

3 SERGEANT JOHNSON: -- you know -- okay.

4 So -- all right. So you and Groves do
5 the transport?

6 OFFICER BLAIR: Yes.

7 We take him to ID. Nothing is unusual.
8 He said nothing to us.

9 SERGEANT JOHNSON: Uh-huh.

10 OFFICER BLAIR: At the end of all of
11 his fingerprints, when he's washing his
12 hands, he says something to us about his arm
13 hurting.

14 SERGEANT JOHNSON: Uh-huh.

15 OFFICER BLAIR: And we ask him, what
16 are you talking about, sir?

17 And he shows us his -- his right arm.

18 SERGEANT JOHNSON: Uh-huh.

19 OFFICER BLAIR: And I did see -- at the
20 very base of his bicep, close to his -- the
21 joint of his elbow, I saw a slight raise.

22 SERGEANT JOHNSON: Uh-huh.

23 OFFICER BLAIR: And inside of his elbow
24 it looked -- looked like it was bruising.

25 SERGEANT JOHNSON: Uh-huh.

1 OFFICER BLAIR: So we asked him if he
2 needed to see a medic.

3 And I don't -- I don't remember -- I
4 think he declined the medic at that time.

5 SERGEANT JOHNSON: Okay.

6 OFFICER BLAIR: I'm not for certain on
7 that, but I believe he declined the medic.

8 So when we left identification and we
9 got in the Sally port, we called the
10 sergeant on duty --

11 SERGEANT JOHNSON: Okay.

12 OFFICER BLAIR: -- which -- which ended
13 up being Sergeant Sorry (phonetic).

14 SERGEANT JOHNSON: Right.

15 OFFICER BLAIR: And then he responded
16 to -- when we went to the clerk's, we
17 stopped outside, and Sergeant Sorry came out
18 and photographed him outside of the clerk's
19 office.

20 SERGEANT JOHNSON: Okay. And was
21 he -- they photograph him.

22 What did Sorry say to him at all?

23 Like --

24 OFFICER BLAIR: I don't know.

25 SERGEANT JOHNSON: All right. And

1 then, from there, he goes into the jail?

2 OFFICER BLAIR: Yeah. Then we took him
3 over to the jail and we slated him there.

4 We told the -- the on-call nurse who
5 was doing his medical intake, we told her
6 about it. And she said it looked fine.
7 And -- and they accepted him medically in
8 the jail.

9 SERGEANT JOHNSON: Okay. He was not
10 rejected at the jail?

11 OFFICER BLAIR: No.

12 SERGEANT JOHNSON: (Inaudible) was not
13 refused?

14 OFFICER BLAIR: Correct.

15 SERGEANT JOHNSON: Okay. All right.
16 So, to recap, you -- you get there first
17 because you're right in the alley.

18 You walk up to him and you -- and you
19 talk to him to keep him -- to keep him there
20 until the cruisers get there, because you
21 think he's part of the burglary, coming out
22 of this -- this structure here.

23 Jean Byrne gets there first, so she
24 goes over to the passenger side and -- and
25 she has the girl come out of that car.

1 And then, right after that,
2 Officer Groves come (sic) over to your side,
3 and you and Officer Groves have him get out
4 of his car.

5 You say you believe he opened up the
6 door?

7 OFFICER BLAIR: Uh-huh.

8 SERGEANT JOHNSON: When he opened up
9 the door -- does he step out when he
10 wouldn't move any further? Like, did he put
11 his feet on the ground?

12 OFFICER BLAIR: Yes.

13 SERGEANT JOHNSON: All right. So
14 he -- he's -- he's attempting to get out and
15 then he just stops?

16 OFFICER BLAIR: Uh-huh. Yeah.
17 Initially he came out, and I think maybe he
18 thought we were going to ask him to come out
19 and lead him back away from his car.

20 SERGEANT JOHNSON: Right.

21 OFFICER BLAIR: I'm not sure he
22 believed that he was going to be detained
23 when he agreed to step out initially.

24 SERGEANT JOHNSON: Okay.

25 OFFICER BLAIR: Because when we first

1 asked him to step out, he said, no.

2 Right.

3 OFFICER BLAIR: We said, no, you have
4 to come out of the car -- the truck.

5 So he did step out, but he came out
6 facing us --

7 SERGEANT JOHNSON: Okay.

8 OFFICER BLAIR: -- which we didn't
9 want, obviously.

10 SERGEANT JOHNSON: Right.

11 OFFICER BLAIR: And we asked him to
12 turn around. That's when he refused
13 and -- and started resisting.

14 SERGEANT JOHNSON: Right. Okay.

15 And then -- he started resisting. You
16 realize he's not going with the program. He
17 has a death grip on that handle inside the
18 frame of the car --

19 OFFICER BLAIR: Yes, sir.

20 SERGEANT JOHNSON: -- and you
21 apply -- you focus on -- on that hand,
22 because this hand can go into the car --

23 OFFICER BLAIR: Correct.

24 SERGEANT JOHNSON: -- and grab anything
25 or do whatever?

1 OFFICER BLAIR: Correct.

2 SERGEANT JOHNSON: So you're -- at that
3 point, you were trying to get his fingers
4 off that handle?

5 OFFICER BLAIR: Uh-huh.

6 SERGEANT JOHNSON: And, basically,
7 eventually, with -- with coordination of
8 your co-workers, you got the fingers off the
9 handle, and they pulled at the right time,
10 and he came off the car?

11 OFFICER BLAIR: Yes, sir.

12 SERGEANT JOHNSON: And then he went to
13 the ground?

14 OFFICER BLAIR: Yes.

15 SERGEANT JOHNSON: All right. And, on
16 the ground, you basically are keeping his
17 feet at bay while they're trying to handcuff
18 him? You may have even helped in the
19 handcuffing?

20 OFFICER BLAIR: Yeah. I -- I do
21 remember having my handcuffs out, because I
22 do recall almost handcuffing
23 Officer Groves --

24 SERGEANT JOHNSON: Got it.

25 OFFICER BLAIR: -- because he was -- we

1 were all wearing white shirts.

2 SERGEANT JOHNSON: Got it.

3 And -- and then, once he's
4 handcuffed -- and, in the middle of that,
5 right before you handcuff him, he's maced?

6 OFFICER BLAIR: Yes.

7 SERGEANT JOHNSON: And then eventually
8 it's over.

9 And once it's done, he stopped
10 resisting?

11 OFFICER BLAIR: Yes.

12 SERGEANT JOHNSON: And then, because of
13 the macing, medic 12 came out to the scene,
14 treated him for the macing, the cuts and
15 scrapes to his -- to his face and his knee.

16 And you didn't hear him complain about
17 anything else, really. But you wound up
18 doing the transport. And while you did the
19 transport, you -- he complained of his right
20 arm hurting, and you saw a little bruising
21 there, a little slight -- would you say
22 slight --

23 OFFICER BLAIR: A little swelling at
24 the --

25 SERGEANT JOHNSON: A little swelling at

1 the base --

2 OFFICER BLAIR: -- just in the very
3 base of his bicep.

4 SERGEANT JOHNSON: So you believe you
5 asked him for a medic, and he declined it.
6 But you called the sergeant out, and the
7 sergeant came, photographed the
8 injuries -- Sergeant Sorry -- before you
9 went into the jail.

10 And when you went into the jail, you
11 advised the nurse. And the nurse said he's
12 fine, and he was not refused?

13 OFFICER BLAIR: Correct.

14 SERGEANT JOHNSON: All right. Is there
15 anything else you would like to add to this
16 interview?

17 OFFICER BLAIR: No, sir.

18 SERGEANT JOHNSON: Has the statement
19 you've given been truthful and factual to
20 the best of your knowledge?

21 OFFICER BLAIR: Yes, sir.

22 SERGEANT JOHNSON: Real quick, he may
23 have asked for the medic, but you're not
24 sure?

25 OFFICER BLAIR: At what point?

1 SERGEANT JOHNSON: Inside ID.

2 OFFICER BLAIR: He did not ask for one.

3 I am not -- I believe we asked him if
4 he wanted one.

5 But I remember him just saying, I need
6 surgery.

7 He diagnosed himself as having a torn
8 bicep in -- in there.

9 SERGEANT JOHNSON: Got it.

10 OFFICER BLAIR: He said, I'm going to
11 need surgery.

12 So I think he turned -- he rejected
13 the -- the medic.

14 SERGEANT JOHNSON: Okay.

15 OFFICER BLAIR: But I know we -- we
16 called the sergeant and waited to make sure
17 everything was --

18 SERGEANT JOHNSON: Okay.

19 OFFICER BLAIR: -- taken care of.

20 SERGEANT JOHNSON: All right. Got it.

21 And have we discussed anything while
22 the tape recorder was off that you feel
23 should be placed on the record now?

24 OFFICER BLAIR: No, sir.

25 SERGEANT JOHNSON: All right.

1 Interview concludes at 2:35 p.m.

2 (End of audio.)

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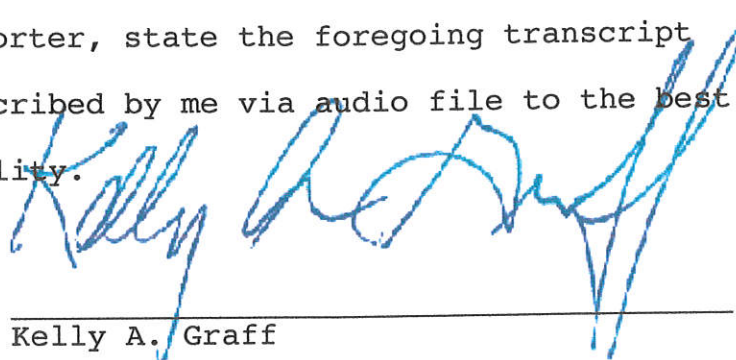
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C E R T I F I C A T E

I, Kelly A. Graff, the undersigned
court reporter, state the foregoing transcript
was transcribed by me via audio file to the best
of my ability.



Kelly A. Graff